

**16.198 Appointment, salary, benefits, and number of individuals employed as a Trooper R Class.**

The appointment, salary, benefits, and number of individuals employed as a Trooper R Class shall be as follows:

- (1) The commissioner may appoint Trooper R Class employees. Trooper R Class employees shall serve on a contractual basis for a term of one (1) year, and the contract may be renewed annually, by agreement of the parties, for no more than four (4) additional one (1) year terms.
- (2) The compensation for Trooper R Class employees shall be established by administrative regulation promulgated pursuant to KRS Chapter 13A.
- (3)
  - (a) All appointments of individuals employed as a Trooper R Class shall be based upon agency need as determined by the commissioner.
  - (b) Work stations for individuals employed as a Trooper R Class shall be determined by agency need with consideration given to the applicant's stated preference.
  - (c) Merit of individuals employed as a Trooper R Class shall be determined by the applicant's work performance history.
  - (d) Fitness of individuals employed as a Trooper R Class shall be determined by the applicant's ability to adhere to the agency standards set by the commissioner under this chapter.
- (4) The number of individuals employed as a Trooper R Class by the department shall not:
  - (a) Exceed one hundred (100); or
  - (b) Be counted in the total employee cap for the department.
- (5) All individuals employed as a Trooper R Class shall be assigned the job duties of trooper and shall not be placed in any supervisory positions or special work assignments.
- (6) Notwithstanding any provision of KRS 16.505 to 16.652, KRS 18A.005 to 18A.228, and KRS 61.510 to 61.705 to the contrary:
  - (a) Individuals employed as a Trooper R Class shall continue to receive all retirement and health insurance benefits provided by the systems administered by Kentucky Retirement Systems to which they were entitled upon retiring from the department as a commissioned officer under this chapter;
  - (b) Individuals employed as a Trooper R Class shall not be eligible to receive health insurance coverage or benefits through the department and shall not be eligible to participate in the State Police Retirement System; and
  - (c) The department shall not pay health insurance contributions to the state health insurance plan for individuals employed as a Trooper R Class.
- (7) Individuals employed as a Trooper R Class shall be employed on a contractual basis and shall be provided due process pursuant to KRS 16.140 for any disciplinary action imposed by the commissioner. A decision by the commissioner to not renew a contract shall not be considered a disciplinary action for purposes of this section.

- (8) The provisions of this section shall not eliminate or reduce any requirements under KRS 61.637 for the department to pay employer contributions to the retirement systems or to reimburse the retirement systems for the cost of retiree health, on any individual employed as a Trooper R class.

**Effective:** June 25, 2009

**History:** Created 2009 Ky. Acts ch. 59, sec. 14, effective June 25, 2009.